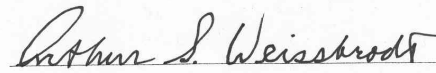




Ja Vonne M. Phillips, Esq. SBN 187474
Charles M. Standard, Esq. SBN 160720
McCarthy & Holthus, LLP
1770 Fourth Avenue
San Diego, CA 92101
Phone (619) 685-4800
Fax (619) 685-4810

IT IS SO ORDERED.
Signed February 26, 2010


Arthur S. Weissbrodt
U.S. Bankruptcy Judge

Attorney for: Secured Creditor,
Litton Loan Servicing

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re:
Cielo Rosario Ulpindo,

Debtor.

) Case No. 09-56272 W
)
) Chapter 13
)
) RS No. MJ-4562
)
) **INTERIM ORDER FOR ADEQUATE**
) **PROTECTION**
)
) Date: 03/09/2010
) Time: 2:00 PM
) Ctrm: 3020
) Place: 280 S. First Street
) San Jose, CA
)

The motion of Secured Creditor Litton Loan Servicing LP as servicing agent for
The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the Holders of the
GE-WMC Asset-Backed Pass-Through Certificates, Series 2005-2, its assignees and/or
successors, for relief from the automatic stay came on regularly for hearing by the Court on the
date, time and place set forth above, before the Honorable Arthur S. Weissbrodt. Movant,

1 appeared by and through its Attorney of Record, McCarthy & Holthus, LLP by Charles M.
2 Standard. All other appearances are as noted in the court record.

3 Upon reading the papers and pleadings on file herein, and upon hearing oral argument
4 and based on the evidence presented, the Court rules as follows:

5 IT IS HEREBY ORDERED, ADJUDGED AND DECREED

- 6 1. This Order affects the real property commonly known as: 10092 South Blaney Avenue,
7 Cupertino, CA 95014
- 8 2. Secured Creditor acknowledges payment in the amount of \$2500.00 received to the office of
9 their attorney on 1/6/2010.
- 10 3. Debtor shall pay \$2500.00 on or before 2/1/2010.
- 11 4. Debtor shall pay \$2,500.00 on or before 3/1/2010
- 12 5. Payments shall be made directly to Attorney Office on behalf of Secured Creditor to
13 McCarthy & Holthus, LP, 1770 Fourth Avenue, San Diego, CA 92101, with reference to
14 Loan Number and M&H File Number CA-09-15161, or as otherwise directed.
- 15 6. In the event Debtor fails to timely perform any of the obligations set forth in this Order,
16 Secured Creditor shall notify Debtor and Debtor's counsel of the default in writing. Debtor
17 shall have ten (10) calendar days from the date of the written notification to cure the default.
- 18 7. If Debtor fails to timely cure the default, Secured Creditor shall be entitled to lodge a
19 Declaration of Default and an Order Terminating the Automatic Stay. The Order shall be
20 entered without further hearing. The automatic stay shall be immediately terminated and
21 extinguished for all purposes as to Secured Creditor and Secured Creditor may proceed with
22 and hold a trustee's sale of the subject property, pursuant to applicable state law, and without
23 further Court Order or proceeding being necessary, commence any action necessary to obtain
24 complete possession of the subject Property, including unlawful detainer, if required.
- 25 8. If Debtor defaults on the obligations set forth herein on more than three (3) occasions,
26 Secured Creditor may lodge a Declaration and Order Terminating the Automatic Stay. The
27 Order shall be entered without further hearing. The automatic stay shall be immediately
28 terminated and extinguished for all purposes as to Secured Creditor and Secured Creditor
29 may proceed with and hold a trustee's sale of the subject property, pursuant to applicable

1 state law, and without further Court Order or proceeding being necessary, commence any
2 action necessary to obtain complete possession of the subject Property, including unlawful
3 detainer, if required.

4 IT IS SO ORDERED:

5
6 Approved as to Form and Content:

7
8 See Attached Page
9 Richard T. Hilovsky, Esq.
10 Attorney for Debtor

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12 **** END OF ORDER ****
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COURT SERVICE LIST

DEBTOR

Cielo Rosario Ulpindo
10092 South Blaney Avenue
Cupertino, CA 95014

COUNSEL FOR DEBTOR

Richard T. Hilovsky
960 Saratoga Avenue, #112
San Jose, CA 95129

TRUSTEE

Devin Derham-Burk
P.O. Box 50013
San Jose, CA 95150

Litton Loan Servicing
c/o McCalla Raymer, LLC
Bankruptcy Department
1544 Old Alabama Road
Roswell, GA 30076

c/o Jacque A. Gruber
c/o Pite Duncan, LLP
4375 Jutland Drive, Suite 200
P.O. Box 17933
San Diego, CA 92117

Dyck-O'Neal, Inc
PO Box 13370
Arlington, TX 76094

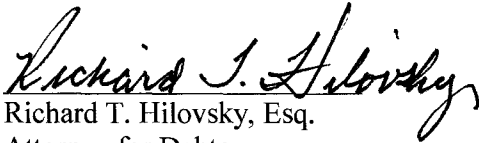
HSBC Bank Nevada, N.A.
Bass & Associates, P.C.
3936 E. Ft. Lowell Road, Suite #200
Tucson, AZ 85712

McCarthy & Holthus, LLP
1770 Fourth Avenue
San Diego, CA 92101

1 state law, and without further Court Order or proceeding being necessary, commence any
2 action necessary to obtain complete possession of the subject Property, including unlawful
3 detainer, if required.

4 IT IS SO ORDERED:

5
6 Approved as to Form and Content:

7
8 
9 Richard T. Hilovsky, Esq.
10 Attorney for Debtor

11
12 ** END OF ORDER **
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